

# **Nevada Fire Board of Directors**

Bureau of Land Management, Nevada Division of Forestry  
U.S. Forest Service, Bureau of Indian Affairs  
National Park Service, Fish & Wildlife Service

## **BREIFING PAPER**

**Updated 05/21/08**

**TOPIC:** Clarification of Wildland Fire Financial Responsibilities: Federal, state and counties understand jurisdictional responsibilities and authorities for wildfire suppression

**ISSUE:** Wildland fires in Nevada are fought cooperatively by federal, state, and local agencies, each with their own authorities, jurisdiction, and resources. On the ground and on the fire line, we work well together, share resources, and fight fire side by side. When it comes to paying the bills, however, we face increasing challenges.

Federal agencies are responsible for management of wildland fires on federal lands. Counties are responsible for suppression of wildland fires and protection of structures on private land. The Nevada Division of Forestry (NDF) protects private lands within NRS 473 fire protection districts in partnership with the counties. Cost share agreements are necessary when fires burn on multiple jurisdictions.

The cost of wildland fire suppression continues to increase, straining resources and presenting additional financial challenges. The use of cooperative mutual aid agreements allows agencies to share resources across jurisdictional boundaries for a specific amount of time usually during the first 24 hours without financial reimbursement. Fires burning past 24 hours revert to cost share agreements, which are generally based on the percent of each agencies acreage, or amount of work, or specific cost by agency.

Over a million acres burned in Nevada in 2006 and again in 2007. Wildland fires are becoming more common, more costly, and more complex, due to vegetation changes and the increasing development of private lands in the wildland-urban interface. Protection of life and property is always a top priority, and often a large share of firefighting costs is spent to protect homes and structures on private lands.

In the absence of fire protection districts or NRS 473 districts, many Nevada counties may not be prepared to shoulder the responsibilities and costs of a major wildfire.

## **DISCUSSION**

Without clarification of each agencies authorities and acceptance of their responsibilities it is anticipated that firefighter safety and firefighting efficiency will decline.

### **Clarification of the Federal Role:**

Federal wildland fire agencies have been suppressing wildland fires on private land or threatening private structures. As federal suppression costs increase, audits by the Office of the Inspector General, the General Accounting Office, and the Occupational Safety and Health

Administration have increasingly called into question federal financial expenditures on private lands. Ultimately, the Federal wildland fire agencies have no legal authority to incur costs for fire suppression on private land or to protect private structures. Federal wildland fire agencies must have specific direct protection agreements or cooperative agreements with an associated cost share agreement.

**Clarification of the State Role:**

NDF has responsibility for wildland fire protection on NRS 473 fire protection districts. Nevada counties may petition NDF to form NRS 473 fire protection districts administered by the State Forester Firewarden to protect private lands within their jurisdiction.

**Clarification of the County Role:**

Counties may choose to retain wildland fire suppression responsibilities. By opting out of a NDF 473 district, the county assumes greater risk and liability.

**RECOMMENDATIONS**

1. Counties petition the State Forester Firewarden to form additional 473 Districts or develop their own wildland fire program for protection of private lands and structures.
2. Federal, state and counties understand and use cooperative agreements and associated cost share agreements.
3. State develops a liaison program with local agencies.